

COHEN & FITCH LLP
THE WOOLWORTH BUILDING
233 BROADWAY, SUITE 1800
NEW YORK, NY 10279
TEL: 212.374.9115
FAX: 212.406.2313

October 22, 2015

VIA ECF

Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Schoolcraft. v. The City of New York
10 CV 06005 (RWS)

Dear Judge Sweet:

I represent the plaintiff in the above referenced civil rights action and I write now to respectfully request Your Honor sign the annexed order granting plaintiff a sixty (60) day extension of time to file his motion for legal fees, costs and expenses in this matter pursuant to FRCP 54. Although plaintiff anticipates having his motion for legal fees filed by November 30th, we are requesting sixty (60) days on the chance that there are unanticipated delays in resolving the matter with the remaining defendants.

As Your Honor is aware, on October 15, 2015, the court entered judgment on plaintiff's acceptance of the City Defendants offer pursuant to FRCP Rule 68. Pursuant to Rule 54(d) of the Federal Rules of Civil Procedure, plaintiff has fourteen (14) days from the entry of judgment to submit his application for attorney's fees. As such, plaintiff's application would ordinarily be due on October 29, 2015. However, in light of the fact that plaintiff is still actively litigating this matter against the remaining medical defendants, plaintiff made an application for this extension in open court on October 14, 2015, which Your Honor granted over the City Defendants' objection. At a subsequent conference the Court suggested plaintiff submit a proposed order if they wish to have the request memorialized on the docket sheet.

Accordingly, plaintiff respectfully requests that Your Honor enter the annexed Order granting plaintiff a sixty (60) extension of time for him to file his motion for legal fees, costs and expenses.

Thank you for your consideration of this request.

Very truly yours,

/s

Gerald M. Cohen

cc: Alan Scheiner
New York City Law Department
100 Church Street
New York, NY 10007

Gregory John Radomisli
Martin Clearwater & Bell LLP (NYC)
220 East 42nd Street
13th Floor
New York, NY 10017

Bruce M. Brady
Callan, Koster, Brady & Brennan, LLP
One Whitehall Street, 10th Floor
New York, New York 10004

Brian E. Lee
Ivone, Devine & Jensen, LLP
2001 Marcus Avenue
Lake Success, NY 11042